

NOTICE OF REMOVAL
MODIFIED
(DIVERSITY)

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE

Shelby County Sheriff's Department/ Officer B. Less

FannieMae/First National Mortgage Association

Michael Williams of C.E.O/ FannieMae et al

plaintiff

) 11-2560-STA

) Case # 10113731

Vs

Defendant

Devitoe-Chauntaunt:Farmer

Devitoe-Chauntaunt:Farmer

NOTICE OF REMOVAL

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendant Devitoe-Chauntaunt:Farmer hereby removes to this court the state court action described below.

RECEIVED
2011 JUL 11 AM 11:54
THOMAS H. GOULD
CLERK U.S. DISTRICT COURT
W.D. OF TN MEMPHIS

Devitoe-Chauntaunt: Farmer was arrested on April 8th, 2010 FOR THEFT OF PROPERTY OVER 60,000. On March 24th, 2010 indicted upstairs and bonded out of incarceration on May 18th, 2011, arrested of Unlawfully which is invalided in violation of title 22 CFR 93.1-93.2 which states that the department of states has to be notified of my, suit, and turn has to notify the United States citizen of said suit, and to this day I haven't received any paperwork from the department of state concerning the said suit's in this removal, and it's also a violation of Title 28 U.S.C 1330 which states the United States District court has to grant permission for the suit to pursued once the court has been supplied sufficient proof that the United States citizens is actually a corporate entity. Neither did I receive any conformation from the district court stating that they have granted the state of Tennessee jurisdiction to pursue this matter in question, and according to Title 28 U.S.C 1608 I have absolute immunity as a corporation so that means you never can get the jurisdiction from the District court which is another violation of this title. Which is a violation of the 11th amendment of the constitution of the united states? Which is also a violation 18 U.S.C 1918 FOR VIOLATION OF OATH OF OFFICE AND THE PENALTIES ARE DESCRIBED IN 5 U.S.C. 7311 WHICH INCLUDE (1) REMOVAL FROM OFFICE; (2) CONFINEMENT OR FINE Devitoe-Chauntaunt: Farmer HAS RIGHTS THAT'S PROTECTED BY THE STATES CONSTITUTION and they were violated on April 8, 2010, in SHELBY COUNTY MEMPHIS, TENNESSEE FOR THE ALLEDGED OATH TO UPHOLD. not a 14th amendment nor statutory Citizen of the United States pursuant to 8 U.S.C. 1401 and is a "non resident Alien" pursuant to 26 U.S.C. 7701 (b) (1) (B), which makes a Devitoe-Chauntaunt:Farmer "Protected Foreign Citizen" and is placed under the Foreign Sovereign Immunity Act of 1975, and is outside State and Federal Peace Officer Jurisdiction. The Foreign Sovereign Immunity Act of 1976, 18 U.S.C. 112, 28 U.S.C. Part 4, Chapter 97 REQUIRES YOU to treat Devitoe-Chauntaunt:Farmer as a "protected Foreign Official", and pursuant to Federal Rules Of Civil Procedure 17(b) Devitoe-Chauntaunt:Farmer is a "Foreign Diplomat".

Defendant, Indictment case# 10113731

Address: 4171 Sevelia Rd, Memphis, TN. 38128 was the initial address of arrest

Defendant was served with a complaint made by plaintiffs on April 08, 2010, and received a copy of plaintiff(s) petition on April 08, 2010. This Notice was not timely.

A copy of all process, pleadings and orders served upon defendant in the state court action are attached hereto as Exhibit "A".

This action is a civil action of which this court has original jurisdiction under 28 U.S.C. 1332, and is one which may be removed to this court by defendant pursuant to the provisions of 28 U.S.C. 1441(b) in that it is a civil action between citizens of different states and the matter in controversy exceeds the sum of 75,000, exclusive of interest and costs because (allege facts supporting allegation of amount in controversy).

Defendant is informed and believes that the plaintiff has no proof of claim and the court has no subject matter of jurisdiction. "Once jurisdiction is challenged, the court cannot proceed when it clearly appears that the court is lacks jurisdiction, the court has no authority to reach merits, but, rather should

dismiss the action.." Melo v, US., 505 G.2d. 1026. " Whenever it appears that the court lacks subject matter jurisdiction, the court is obliged to dismiss the action." Willy v. Coastal Corp.,503 U.S 131, 136-137; U.S. v. Texas,252 F.Supp 234,254. The attorney Wilson & Associate does not have audition to represent anyone, read dead man statues which were codified under probate, rule 601 under federal rules of evidence. It goes to competency to testify, they are in competent to testify for a dead person. Who is a dead person? The corporation, they are dead because they are not real also in order. Defendant Devitoe-Chauntaunt:Farmer was, at the time of the filling of this action, and still is, a "Foreign Diplomat" of the Republic Of Tennessee "Non resident Alien" and is the only defendant that has been served summons and complaint in this action.

Also in order for a court to have jurisdiction the plaintiff and the defendant both have to be there. Both parties, real parties in interest that have a standing under Article 3 section 2, standing is a threshold issue and the court is suppose to address Suasponste. So, I have the reasonability to bring it up, standing is the threshold issue. None of these Servicing companies that are foreclosing on all these loan have standing to come to court to foreclose on your loan, because they don't own the loans. Who owns the security, the borrower does. In the Country Wide and Kemp case this woman and employee from Country Wide testify that none of the notes are transferred. That means that all of these Real estate Investment Trusts don't have the note. April Charney in her admonition says they never transfer the notes nor do they sell them, they keep them. The reason they keep them is because they don't own them, they can't transfer them, and if they did transfer them, they have to do that to get the exemption other wise they have to pay taxes. If they don't pay 90% of there taxable income in interest and dividends to the investors then they have a tax liability. They do not qualify under Section 862 and 852 of Title 26 as a real estate Investment Trust so there in possession of contraband. So what they are doing is billing you for taxes that they owe. No one rises this issues because no one understands it. That is why every mortgage is tax issue. There are two issue an investment issues: an investment contract and a tax. The reason a tax comes into play is because they never transferred the security, they kept the security. So that means the investors that bought cash flow claims under the pooling and Servicing agreement have got worthless paper. That means there is a cloud on every title and none of these notes were ever securitized. That means every B-5 Prospectus, S-3 Registration Statement, 8-K Current Report are all invalid. That are filed with the SEC because the notes; the security were never transferred at closing. The investors put up a;; this capital and in the law reviewed by David Levithin (SP?) that goes into the ramifications. The banks that allegedly financed all these loans are going to have to give all the money back to the investors as cash flow claims because they never and they were never transferred to them, they don't own them. The banks are going to have to give it back: there is not enough money in all the banks to pay these investors back. So what does that mean, you are going to have to put- back.

Under the Statue of Frauds which is in the UCC at 2-201 Sec 2-201 and the Statue of Frauds was designed to prevent the very thing they are doing. **The Statue of Frauds is evidentiary and I am raising it .** I am raising the Statue of Fraud as a defence. The land mark decision is the Seacrest Case because when you go to closing they are doing a loan modification. Because they made you a party to a contract to which you are not a party to. You are a 3rd party Contract to the Pooling and Servicing Agreement and the proof of that is that is where your mortgage payments are going. The Payments are going to the

investors as a cash flow claim. There not going to the servicing company, they are merely passing the payments on to the investors. Why are they giving them to the investor? They have to do proof of verification of claim, because they have no verification of being a holder in due course of no without on going selling, they have violated RESPA, TILA AND REGULATION Z.

The defendant Devitoe-Chauntaunt:Farmer a "Foreign Diplomat" , and the plaintiff(s) THE STATE OF TENNESSEE are in complete diversity of Citizenship prior to the filing of this matter and under 28 U.S.C. 1447(d), and 28 U.S.C. 1446 (e) the said State court SHELBY COUNTY COURT OF GENERAL SESSIONS DIVISION # _ POPULAR AVENUE, MEMPHIS TENNESSEE 38103 is ousted of jurisdiction and the removal is effected automatically by defendant filing a notice of removal in the federal court, filing a copy of the notice in the state court and giving notice to all adverse parties. See also 14 C Wright, Miller and cooper, Federal Practice and Procedure: Jurisdiction 3d 3737 (1998).

28 U.S.C. 1602-1611 (Foreign Sovereign Immunity Act) allows the jurisdiction of a court to be challenged, and a demand of proper jurisdiction to be stated.

December 26th 1933 49 Statute 3097 Treaty series 881 (Convention on Rights and Duties of States) stated CONGRESS replaced STATUTES with international law, placing all states under international law.

December 9th 1945 International Organization Immunities Act relinquished every public office of the United States to the United Nations.

22 CFR 92.12-92.31 FR Heading "Foreign Relationship" states that an oath is required to take office.

Title 8 U.S.C. 1481 stated once an oath of office is taken citizenship is relinquished, thus you became a foreign entity, agency , or state. That means every public office is a foreign state, including all political subdivisions. (i.e. every single court is considered a separate foreign entity)

Title 22 U.S.C. (Foreign Relations and intercourse) Chapter 11 identifies all public officials as foreign agents.

Title 28 U.S.C. 3002 Section 15A states that the United States is a Federal Corporation and not a Government, including the Judiciary Procedural Section.

Federal Rules of Civil Procedure (FRCP) 4j states that the court jurisdiction and immunity fall under a foreign State.

The 11th Amendment states "The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another state, or by Citizens or Subjects of an Foreign State." (A foreign entity, agency, or state cannot bring any suit against a United States citizen without abiding the following procedure.)

Title 22 CFR 93. 1-93.2 states that the department of State has to be notified of any suit, and in turn has

to notify the United States citizen of said suit.

Title 28 U.S.C. 1330 states that the United States District Court has to grant permission for the suit to be pursued once the court has been supplied sufficient proof that the United States citizen is actually a corporate entity.

Title 28 U.S.C. 1608 I have Absolute Immunity as a corporation.

July 27th 1868 15 Statutes at Large Chapter 249 Section 1 "Acts Concerning American Citizens in a Foreign State", expiration, is what is broken when jurisdiction is demanded, and it is not met with an answer.

Under the Federal Rules of Civil Procedure 12b 6 the prosecution has failed to provide adequate proof that the parties involved in this situation are actually corporate entities. I have provided ample proof that the prosecution and other agents are actually corporations.

1950 81st Congress Investigated the lawyers Guild and determined that the B.A.R. Association is founded and ran by communists under definition. Thus any elected official that is a member of the B.A.R. will only be loyal to the B.A.R. and not the people.

Supremacy Clause Article 6 Clause 2:

All Debts contracted and Engagements entered into, before the adoption of this constitution, shall be as valid against the United States under this constitution, as under the confederation.

This constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any state to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

Civil: means contract in Latin

The Uniform commercial code encompasses contract law and its an international treaty and the treaty has not been broken.

The U.S. constitution encompasses the U.C.C..

All violations stated above .

Relief sought

The Agent Devitoe-Chauntaunt: Farmer is seeking \$2,000,000 dollars US per violation committed by the Plaintiffs and those of the like \$12,000,000 sum total for All infractions.

A copy of this notice has been sent to the state Attorney General and Governor of Tennessee. To the United Nations Oath division Secretary General Ban Ki Moon, International Court of Justice, Internal Revenue Service, The Congress, The Senate, The article 3 Court of Claims in the District of Columbia, United STATES HOMELAND SECURITY, you took the oath and now it's time to uphold it, "let justice be heard".

A copy of this notice has been sent to the State Attorney General and the Governor of Tennessee. " let justice be heard".

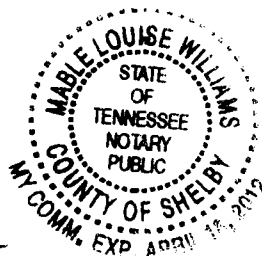
A copy of this notice has been sent to the State Attorney General and the Governor of Tennessee. " let justice be heard".

WHEREFORE, defendant *Devitoe-Chauntaunt: Farmer* prays that this action be removed to the United States District Court For The Western District Of Tennessee

DATED: *July 11*, 20 *11*

By: *Devitoe-Chauntaunt: Farmer*

Mable Louise Williams



Notary Public for the State of Tennessee (signature)
